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**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**DIVISION BENCH**

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**CORAM :** HON'BLE SHRI H.L. DATTU, C.J.  
HON'BLE SHRI V.K. SHRIVASTAVA, J.

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**W.P. NO.2269 of 2001**

**PETITIONER**

State of Chhattisgarh through the  
Secretary Water Resources  
Department, Govt. of Chhattisgarh,  
Raipur (Chhattisgarh)

Versus

**RESPONDENTS**

1. Komal Diwan, aged about 45 years,  
S/o Shri Shankardhar Diwan;
2. Bishatram Sinha, aged about 46  
years S/o Shri Kartik Ram Sinha;
3. Shri Ram Sahu, aged about 47  
years S/o Shri Chait Ram Sahu;
4. N.Krishna Murti, aged about 47  
years S/o N. Venkat Rao
5. Guljar Singh Sahu, aged about 50  
years S/o Shri Daya Ram Sahu;
6. V.Nageshwar Rao, aged about 43  
years S/o Shri V.Rama Rao;
7. Shri Dholu Ram Sahu, aged about  
37 years, S/o Shri Buddhu Ram  
Sahu;

All above working as time-keeper in  
Water Resources Department, E/M  
Store Sub Division, Gangrel, District  
Dhamtari (Chhattisgarh)

8. Anand Ram Dhurvanshi, aged about  
45 years, S/o Shri Sakha Ram  
Dhruvanshi;
9. N. Ch. Krishna Murti, aged about 45  
years, S/o N. Venkat Rao

Respondent No.8 & 9 are working as  
time Keeper in E & M FO & M, Sub  
Division No.2 WRD Gangrel, Distt.  
Dhamtari

10. Madhav Rao Kawade, aged about  
55 years, S/o Shri Daulat Rao  
Kawade, working as time keeper,  
Water Resources Department, E/M  
Cada Sub-Division Rudri, District  
Dhamtari (Chhattisgarh)
11. S.N. Nayar, aged about 48 years,  
S/o Shri K.D. Nayar;

12. Ashok Mishra, aged about 45 years, S/o Shri Dashrathlal Mishra;
13. Gopal Chandra Datta, aged about 44 years, S/o Shri Vinod Bihari Datta;
14. Dharani Kumar Sao, aged about 46 years, S/o Shri Arjunlal Sao;
15. Bahur Singh Sahu, aged about 51 years, S/o Shri Nandlal Sahu;
16. Ashok Kumar Mishra, aged about 44 years, S/o Shri Jai Kishan;
17. Bodhi Ram Sahu, aged about 45 years, S/o Shri Faganuram Sahu;
18. Jai Shankar Trivedi, aged about 45 years, S/o Shri Sharda Prasad Trivedi;
19. M.P. Chauhan, aged about 50 years, S/o Shri C.P. Chauhan;

Respondent No.11 to 19 all above working as Time Keeper in Water Resources Department, Dam Sub Division No.1, M.R.P. (Mahanadi Reservoir Project) Gangrel, Distt. Dhamtari (Chhattisgarh)

20. Veli Chandra Meshram, aged about 45 years, S/o Shri Maroti Meshram;
21. Kamlesh Dhruwa, aged about 34 years, S/o Shri Ramu Dhruwa;

Respondent No.20 & 21 working as time Keeper in Water Resources Department, Mahanadi Reservoir Project Dam, Sub Division No.8, Rudri Distt. Dhamtari

22. Registrar, State Administrative Tribunal, Bhopal Bench, Bhopal (MP)
23. State of M.P. Through the Secretary, Water Resources Department, Vallabh Bhawan, Bhopal (MP)

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Present : Shri Sumesh Bajaj, G.A. for the State / petitioner.  
Shri Pradeep Saksena, counsel for the respondents No. 2 to 6 and 13 to 17.

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**ORAL ORDER**  
(Passed on 15<sup>th</sup> March, 2007)

The following oral order of the Court was passed by

H.L. Dattu, C.J.

This writ petition is filed against the order passed by the Madhya Pradesh Administrative Tribunal, Bhopal Bench ("the Tribunal" for short) in O.A. No.1801 of 2000, dated 12.02.2001.

(2) Time Keepers working in different establishments had filed batch of applications before the Tribunal. The Tribunal has consolidated all the applications and disposed of the applications by a common order dated 12.02.2001. For questioning the legality or otherwise of the said order, the State Government chooses only the order passed in O.A. No.1801 of 2000.

(3) At this stage, we intend to refer the earlier orders passed by the Tribunal.

(4) Ameens working in Water Resources Department had approached the Tribunal for higher pay-scale equivalent to the similarly situated employees of the same department. The Tribunal by its order dated 06.11.1998 in T.A. No.993 of 1988 had allowed the application and had granted the relief sought for by the applicants in the said application.

(5) Time Keepers working in the Water Resources Department had also approached the Tribunal inter alia seeking higher pay-scale as was granted to Ameens in T.A. No.993 of 1988. The Tribunal has allowed the application by its order dated 05.02.2000.

(6) After the disposal of the said application, Time Keepers working in different establishments in a batch of applications approached the Tribunal. The Tribunal following its earlier decision had granted the relief to the applicants. If for any reason, the State Government was aggrieved by the common order passed by the Tribunal, they should have questioned the said order in *tofo* and it cannot be choosy to

choose one set of applicant to question the order passed by the Tribunal. After all the State Government is a benevolent employer and it cannot discriminate between one employee and another employee. In that view, in our opinion, the writ petition filed by the State Government requires to be rejected. Accordingly, the writ petition is rejected without going to the other details. Ordered accordingly.

Sd/-  
Chief Justice

Sd/-  
V.K. Shrivastava  
Judge